UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America v. Melvin Locklear	)))) Case No: 7:02-CR-126-1H)) USM No: 21318-056

Date of Original Judgment: 05/28/2003   )
Date of Previous Amended Judgment: 07/13/2009   ) Pro Se
(Use Date of Last Amended Judgment if Any)   *Defendant's Attorney*

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☑ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:
☑DENIED. ☐GRANTED and the defendant's previously imposed sentence of imprisonment *(as reflected in the last judgment issued)* of _____ months **is reduced to** _____

Although application of the Fair Sentencing Act of 2010 retroactive amendment results in a lower guideline imprisonment range, the term of imprisonment imposed is less than the minimum term of imprisonment provided by the amended guideline range, and was not imposed pursuant to the defendant's substantial assistance.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated 05/28/2003, 02/20/2007 and 07/13/2009 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 4/11/12

Effective Date: _____
(if different from order date)

_____
Judge's signature

Malcolm J. Howard, Senior U.S. District Judge
Printed name and title